

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

F I L E D
APR 01 2025
CLERK'S OFFICE
DETROIT

DERRICK LEE CARDELLO-SMITH,
Petitioner,

Case No 2:25-cv-10754

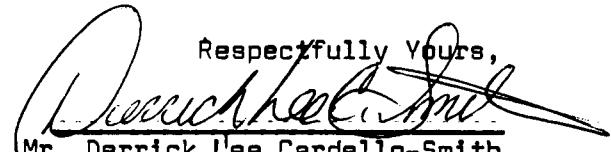
vs
MATTHEW MCCAULEY,
Respondent(s),

Honorable Mark A. Goldsmith

PETITIONERS DEMAND FOR IMMEDIATE RELEASE FROM RESPONDENTS CUSTODY
AND MOTION FOR IMMEDIATE RELEASE ON BOND PENDING FULL REVIEW
OF THE ENTIRE PETITION FOR WRIT OF HABEAS CORPUS
INCLUDING ANY TRANSFER OF THIS HABEAS CORPUS TO
THE WESTERN DISTRICT OF MICHIGAN COURT JURISDICTION OR
PROCEEDINGS AND RELEASE FROM CUSTODY ON ALL OFFENSES

Petitioner, Derrick Lee Cardello-Smith, in the above cause, hereby moves this Court to GRANT IMMEDIATE RELEASE ON BOND PENDING FULL REVIEW OF THE WRIT OF HABEAS CORPUS PROCEEDINGS AND RELEASE FROM CUSTODY OF THE RESPONDENTS and in support of this Motion, States the following factors detailed within the Brief in Support.

Respectfully Yours,



Mr. Derrick Lee Cardello-Smith

#267009

Pro Se Petitioner

Ionia Bellamy Creek Correctional Facility

1727 W. Bluewater Highway

Ionia, MI 48846

BRIEF IN SUPPORT OF IMMEDIATE RELEASE

Petitioner Demands Immediate Release on Bond Pending Full review of the Writ of Habeas Corpus Proceedings due to the following clearly established facts that are not disputed by the respondents in anyway and as follows:

1. The respondents have held Petitioner on false Charges since 1997.
2. The Petitioner was never found guilty at a Jury Trial, Nor a Bench Trial.

3. Petitioner never plead Guilty only No-Contest, which is NOT AN ADMISSION OF GUILT.

4. Respondents have conspired to convict this Petitioner for the reasons outlined in the Original Habeas Petition.

5. Petitioner has been held illegally since 1997 and has had every single appeal denied, because of the direct interference with the Respondents in many various ways and has continued to do so, to the date of this filing.

6. The Respondents are relying on this court doing the same routine acts of, a, transferring this case to the Western District, b, Transferring it to the 6th Circuit for Authorization to file a Second or Successive where they can use their influence to deny it, c, just deny petitioner the relief sought.

7. The Petitioner has demonstrated with OFFERS OF PROOF that show the vast range of people involved in keeping this petitioner held In Custody Illegally contrary to the State and Federal Constitutions.

8. Petitioner should be granted IMMEDIATE RELEASE based on the grounds in the Habeas Petition.

9. Petitioner is entitled to relief pending ANY AND ALL COURT PROCEEDINGS IN THIS MATTER and Demands Release from the respondents Custody.

10. Petitioner asks to be released on Bond Pending All Reviews of Every facet of this Habeas Petition, including any orders of this court being entered and pending any issues that this Court decides or chooses to not decide, but it is in the interest of Justice to Allow this petitioner to be released from custody.

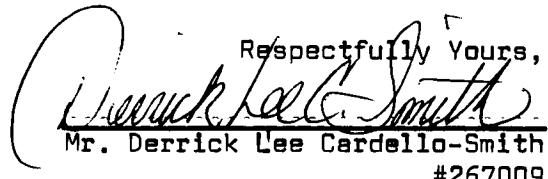
11. Petitioner states that this Court should allow the petitioner to be released from custody as that these events happened in Detroit and originated in Detroit, and Petitioners Innocence Demands it to be allowed as that I AM INNOCENT AND FRAMED BY RESPONDENTS AND DENIED MY RELIEF BY RESPONDENTS, AND I HAVE BEEN DENIED MY RIGHTS TO DUE PROCESS OF LAW BY THE RESPONDENTS ACTIONS WHILE THEY ARE IN OFFICE, CONTRARY TO THE STATE AND FEDERAL CONSTITUTIONS.

I STATE THAT THE RESPONDENTS HAVE NOT DENIED ANY OF THIS AT ANY POINT, BECAUSE THEY CANNOT DENY IT.

12. Petitioner States that the Offers of Proof, the Affidavits, The Petitioners Claims and many many Appeals over the years stressing innocence, and the Actions of the respondents all mandate, demand and require this court to GRANT IMMEDIATE RELEASE FROM CUSTODY and petitioner moves this Court to Grant it.

RELIEF SOUGHT

Wherefore, Petitioner should be granted the relief sought and granted RELEASE IMMEDIATELY from the custody of the respondents and during the entire review process of the habeas corpus proceedings, and grant any further relief this Court deem necessary and appropriate.


Respectfully Yours,
Mr. Derrick Lee Cardello-Smith
#267009

Ionia Bellamy Creek Correctional Facility
1727 W. Bluewater Highway
Ionia, MI 48846

3,

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